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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/001,643	12/31/1997	RUSS L. ALBERT	1431/USW0391	6919

20350 7590 12/17/2004

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/001,643

Applicant(s)

ALBERT ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 11/29/04 to the application filed on 12/31/97.
2. Claims 1-12 are pending in the case. Claims 1 and 8 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4, 6-11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Anand et al. (US Pat No. 5,710,900, 1/20/98) in view of Jagadish et al. (US Pat No. 6,058,170, 5/2/00, filed 5/10/97).

Regarding independent claim 1, Anand discloses:

- a host site connected to at least one user computer terminal via an on-line interconnection, said host site comprising a database for storing the sale information and inventory information, and a processor terminal connected to the on-line interconnection for receiving a user report request and sending reports created in response to the received requests and additional on-line user input (col 1, lines 5-7, 54-67; col 2, lines 1-4; col 2, lines 14-25, 31-34, 39-41; col 9, lines 16-32; col 6, lines 43-67; col 7, lines 1-13, figures 6, 10-11)
- a view manager arranged to generate a set of function commands which can be selectively launched by user input to graphically display a list of available views each of which contains a report relating to particular user information stored in a database, create a new view and report, and edit a view and report (col 2, lines 14-25, 31-34, 39-41, figures 6, 10-11)

Anand does not disclose relating data maintained independently from the host site and input by a user with the user's billing and inventory data for displayed as part of a requested report, wherein at least a portion of the data maintained independently from the host computer site and input by the user is displayed as part of the requested report and wherein the independently-maintained data are comprised by data categories defined by the user.

Jagadish discloses:

- automatically generating *telephone bills that include customer defined information* where the customer specific data are stored in the customer profiles separate from the billing system, which is the host site (**abstract, col 1, lines 36-53; col 3, line 59 to col 4, line 10, 38-61; figure 1B, #114, #116, #118**)
- relating data input by a user with the user's billing and inventory data for displayed as part of a requested report, wherein at least a portion of the data maintained independently from the host computer site and input by the user is displayed as part of the requested report (**abstract: generating telephone bills that include customer defined information where the customer specific data includes pricing data and summary parameters where the summary parameters may be defined directly by the customer (col 3, line 59 to col 4, line 10) and the summary parameters are the data stored in the customer profile (figure 1B, 166, 167, 168, col 3, lines 40-42, col 4, lines 43-46; since the summary parameters stored in the customer profile are defined directly by the customer and are the data provided by the customer, the summary parameters are input by the customer; the billing analysis system generates summary information update defined by the summary parameters based on the priced call value (col 4, lines 38-61) shows that the summary parameters should be included in the summary information; generating the snapshot summary and providing the access to online summary such as online terminal (col 3, lines 50-58) indicates that the summary can be displayed on terminal; since the summary information includes**

summary parameters, and the summary information is displayed on the screen, the summary parameters are displayed on the screen in the summary information as "the part of the requested report")

- the independently-maintained data are comprised by data categories defined by the user (**col 3, lines 1-24, 30-67**: the summary parameters are considered as data categories defined by the user, and the summary information, which is included records of calls made by the customer, and thus is the actual data defined by the customer)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Jagadish into Anand for the following reason. Jagadish teaches generating telephone bills that include customer defined information where the customer specific data are stored in the customer profiles *separate from the billing system* (as seen in figure 1B), and where the separation of the storage of the customer defined data and the billing system suggest the independent maintenance of said data from the host site. Jagadish discloses relating data input by a user with the user's billing and inventory data for displayed as part of a requested report, wherein at least a portion of the data maintained independently from the host computer site and input by the user is displayed as part of the requested report. Jagadish also discloses that the independently-maintained data are comprised by data categories defined by the user. The combination of Jagadish into Anand would provide the advantage to utilize the customer defined data included in the billing report to enhance the billing report system of Anand for easily tracking the billing information (Jagadish, col 1, lines 24-34).

Regarding claim 2, which is dependent on claim 1, Anand discloses that the view editor is arranged to receive and implement user report editing instructions (col 2, lines 39-41; col 9, lines 33-57).

Regarding claim 3, the system of Anand discloses a graphical user interface for the user to interact with the system (figures 6-10; col 2, lines 2-14).

Regarding claim 4, Anand discloses the aggregating method such as add, average, min, max, count to disclose the change in the Smart Report (col 17, lines 65-67; col 18, lines 1-50). Anand also discloses the drill down command (col 9, lines 16-32, col 10, lines 50-67).

Regarding claim 6, which is dependent on claim 1, the system of Anand discloses an Internet connection and web browser (col 2, lines 15-25, client and server system, col 4, lines 53-57, Reports in HTML format imply that the system is connected to the internet so that a web document can be sent over).

Regarding claim 7, which is dependent on claim 1, Anand discloses that the graphical interface comprises Java applets and an HTML page (col 9, lines 16-57).

Claims 8-11 are the method for generating an on-line report performed on the system of claims 1-4, therefore rejected under the same rationale.

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6. Claims 5, 12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Anand in view of Jagadish as applied to claims 1 and 8 above, and further in view of Melchione et al. (US Pat No. 5,930,764, 7/27/99).

Regarding claim 5, which is dependent on claim 1, Anand and Jagadish do not disclose that the report filter is arranged to receive user define value for use as threshold value to selectively control which database information will be included in a report. Melchione discloses the three-tier-hierarchy provides the "key" at each of the household, customer, and customer levels that satisfy user criteria for queries, views, and reports (col 16, lines 45-64). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Melchione into Anand and Jagadish because Melchione teaches the criteria as a threshold to select which data from the database to be included in the report providing the advantage to quickly selecting the needed data from the database based on the criteria to apply to the billing report in Anand and Jagadish instead of taking time searching the whole database.

Claim 12 is the method to be performed on the system of claim 5, and therefore rejected under the same rationale.

Response to Arguments

7. Applicant's arguments filed 11/29/2004 have been fully considered but they are not persuasive.

Applicants argue that Jagadish does not disclose “wherein at least a portion of the data maintained independently from the host computer site and input by the user is displayed as part of the requested report and wherein the independently-maintained data are comprised by data categories defined by the user”(Remarks, page 7).

Examiner respectfully disagrees.

For the part “wherein at least a portion of the data maintained independently from the host computer site and input by the user is displayed as part of the requested report”, Examiner replied in the previous office action, here repeated:

Jagadish discloses generating telephone bills that include customer defined information where the customer specific data includes pricing data and summary parameters (abstract). Jagadish further discloses that the summary parameters may be defined directly by the customer (col 3, line 59 to col 4, line 10) and the summary parameters are the data stored in the customer profile (figure 1B, 166, 167, 168, col 3, lines 40-42, col 4, lines 43-46). Since the summary parameters stored in the customer profile are defined directly by the customer and are the data provided by the customer, the summary parameters are input by the customer.

The fact that Jagadish discloses that the billing analysis system generates summary information update defined by the summary parameters based on the priced call value (col 4, lines 38-61) shows that the summary parameters should be included in the summary information. Also, the fact that Jagadish discloses generating the snapshot summary and providing the access to online summary such as online terminal (col 3, lines 50-58) indicates that the summary can be displayed on terminal. Since the summary information includes summary parameters and the summary information is

displayed on the screen, the summary parameters are displayed on the screen in the summary information as "the part of the requested report."

For the part "wherein the independently-maintained data are comprised by data categories defined by the user", which is newly added, Applicants argue that since the "summary parameters" and "summary information" in Jagadish are analogous to "data categories" only, and since the summary information may be requested by the user, thus, the actual data is not user defined, Jagadish does not teach both data and data categories being user defined (Remarks, page 8).

Examiner respectfully disagrees.

Jagadish does disclose that the independently-maintained data are comprised by data categories defined by the user since the summary parameters, considered as data categories, are defined by the user, and the summary information, which *includes records of calls made by the customer*, and thus is the actual data and defined by the customer (col 3, lines 1-24, 30-67).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fraser (US Pat No. 5,835,580, 11/10/98, filed 4/4/96).

Bushnell (US Pat No. 5,732,128, 3/24/98, filed 2/29/96).

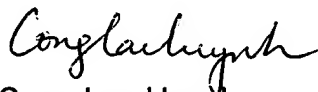
Byrd et al. (US Pat No. 6,069,941, 5/30/00, filed 7/27/95).

Wardin et al. (US Pat No. 6,459,779 B2, 10/1/02, filed 9/4/98).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cong-Lac Huynh
Examiner
Art Unit 2178
12/09/04